IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIFTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 20348 of 2004

Between:

Sri Banka Siva Nagar Prasad, S/o. Sri Rama Krishna,
Sole Proprietor of Sri Srinivasa Bar and Restaurant,
R/o. Door No. 9-3-97, Brahmin Street, Kothapet, Vijayawada-01.

..... PETITIONER

AND

1. The Commissioner of Prohibition and Excise, Andhra Pradesh, Hyderabad.
2. The Prohibition & Excise Superintendent, Krishna District at Machilipatnam.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction more particularly one in the nature of Writ of MANDAMUS by declaring the inaction on the part of the Respondent No.1 in passing orders on the application dated 24-09-2004 sought for grant of licence IL-17 in favour of M/s. Sri Srinivas bar and Restaurant in the premises at Door No. 9-42-3, Brahmin Veedhi, Kothapet, Vijayawada and granting licences to the similarly situated persons viz., Swargam Bar and Restaurant and Amrutham Bar and Restaurant, as illegal, arbitrary and contrary to law and consequently direct the Respondent No.1 to consider the application submitted by the petitioner dated 24-09-2004 for grant of prohibition and Excise Licence IL-17 in favour of M/s. Sri Srinivasa Bar and Restaurant forthwith.

Counsel for the Petitioner:MR.K.V.SIMHADRI

Counsel for the Respondent Nos.1 and 2: GP FOR PROHIBITION & EXCISE

The Court at the admission stage made the following :

-

-

-

-

ORDER:

Having heard the learned counsel for the petitioner and the learned Government Pleader for Prohibition and Excise appearing for the respondents, and on a perusal of the material on record, the writ petition is disposed of with a direction to the respondents to consider the application submitted by the petitioner dated 24.09.2004 seeking permission for grant of licence in Form No.IL 17, and to pass appropriate orders in accordance with law, as expeditiously as possible, preferably within a period of two weeks from the date of receipt of this order. No costs.

_____

05-11-2004

sh

To

1. The Commissioner of Prohibition and Excise, Andhra Pradesh, Hyderabad.
2. The Prohibition & Excise Superintendent, Krishna District at Machilipatnam.

3. 2CCs to the G.P. for Prohibition and Excise, High Court Buildings, Hyderabad. (OUT).

5. 2CD copies.